

Amendment to the Drawings:

The Applicant has amended Figure 1 to correct an informality identified by the examiner. A Replacement sheet and a marked up copy of Figure 1 and formal drawings for Figures 2-5 are attached herewith as Exhibit A. No new matter has been added.

REMARKS/ARGUMENTS

Claims 1-38 are pending with the entry of this paper.

Claims 17-38 are withdrawn.

The Applicant acknowledges the indicated allowability of Claims 1-13.

Claims 14-16 stand rejected.

Drawings

The Applicant has amended Figure 1 to correct an informality identified by the examiner. A Replacement sheet and a marked up copy of Figure 1 and formal drawings for Figures 2-5 are attached herewith as Exhibit A. No new matter has been added.

With reference to the Examiner's statement that "it is unclear as to how the item shown in Figure 5 is structurally related with the lamp device," the Applicant directs the Examiner's attention to the first and second full paragraphs on page 11 of the specification in which the relationship between an embodiment of an insulator 170, as illustrated in Figure 5, and a heat reflector 140 is described. For example, when the heat reflector 140 is metallic, it may be necessary to electrically insulate the connectors 164, 166, 168 from the heat reflector 140. Thus, the insulator 170 may be disposed within a slot 144 (as shown in Figure 3) of a heat reflector 140 to provide the necessary insulation.

Rejection of Claim 14 under 35 U.S.C. § 102(b)

At paragraph 5, spanning pages 4-5 of the instant Office Action, the Examiner rejects Claim 14 as being anticipated by U.S. Patent No. 2,749,461 to Hierholzer ("Hierholzer"). Claim 14, as amended recites, *inter alia*, "wherein the mounting structure

weldlessly provides for limited axial movement of the arc tube to thereby reduce mechanical failure of the mounting structure when subjected to mechanical agitation.” (emphasis added).

In contrast, Hierholzer is directed to a high pressure mercury vapor lamp resiliently supported inside an outer envelope by an elongated frame. The frame comprises wires 29 and 31, between which extend plates 32 and 33. The ends of plates 32 and 33 are bent at right angles and secured to the wires 29 and 31 by welding or brazing. (See Column 2, lines 36-43). Thus, Hierholzer does not disclose each and every element of Claim 14, as amended, and the Applicant requests that the rejection of Claim 14 under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejection of Claims 15 and 16 under 35 U.S.C. § 103(a)

At paragraph 7, spanning pages 5-7 of the instant Office Action, the Examiner improperly rejects Claims 15 and 16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,744,187 to Wimberly (“Wimberly”). It appears the Examiner has misread Wimberly and has improperly premised a rejection thereupon.

In order for the Examiner to establish a *prima facie* case for obviousness, three (3) criteria must be met. First, there must be some suggestion or motivation, either in the cited prior art references or in the knowledge generally available to those of ordinary skill in the art, to modify the primary reference as the Examiner proposes. Second, there must be a reasonable expectation of success in connection with the Examiner’s proposed combination of the references. Third, the prior art references must disclose or suggest all of the claimed elements. See MPEP 2143. The Examiner has failed to establish a *prima facie* case for

obviousness because the Examiner failed to satisfy his burden of showing that the prior art discloses or suggests all of the elements of Claims 15 and 16 and, as such, failed to satisfy his burden of showing that there is a suggestion or motivation to one of ordinary skill in the art to modify the primary reference as the Examiner proposes.

For example, independent Claim 15 recites:

In a high intensity discharge lamp including an envelope enclosing a lamp stem assembly mounted at the opening at one end of the envelope, a lead providing an electrical path between the stem assembly and an arc tube through a reflector, and means for electrically insulating the lead from the reflector, the improvement wherein said insulating means is an apertured ceramic supported by said reflector. (emphasis added).

In contrast, Wimberly discloses a lamp 10 comprising an envelope 12, a filament 14, a plurality of filament support wires 16, a filament bridge 18 and a base 20 supporting the envelope and the filament supports. The lamp further includes an internal reflector 24 disposed within the envelope (*See* Column 4, lines 44-46). The internal reflector 24 is positioned less than an inch from and adjacent to the filament 14, and the internal reflector 24 is supported by one of two filament bridges 18. (*See* Column 5, lines 9-12). There is no suggestion or disclosure that the filament bridge 18 electrically insulates the reflector 24 from the support wires 16. In fact, Wimberly expressly teaches away from a “means for electrically insulating the lead from the reflector” as claimed. Wimberly teaches that the reflector 24 may be constructed from electrically insulating material such as glass or ceramic (see col. 5 line 5), thus obviating the need for an insulator.

Moreover, even if the filament bridge 18 meets the recited limitation of a means for insulating (and it does not), there is no disclosure or suggestion in Wimberly that the

filament bridge 18 is supported by the reflector 24. Again, Wimberly expressly teaches away from the claimed invention, i.e., Wimberly teaches that the reflector 24 is supported by one of the filament bridges 18 as contrasted with the reflector 24 supporting the filament bridge 18.

Reconsideration and withdrawal of the rejection of Claim 15 is hereby solicited.

Claim 16 is dependent upon independent Claim 15. Claim 15 is in condition for allowance. Thus, claims depending from independent Claim 15 are patentable at least by virtue of their dependence, without need to resort to the additional patentable limitations contained therein. Reconsideration and withdrawal of the rejection of Claim 16 under 35 U.S.C. § 103(a) are hereby solicited.

A further and favorable action and allowance of all claims is solicited.

Respectfully submitted,



D. Joseph English Reg. No. 42,514

DUANE MORRIS LLP
1667 K Street, N.W., Suite 700
Washington, DC 20006
Telephone: (202) 776-7800
Telecopier: (202) 776-7801

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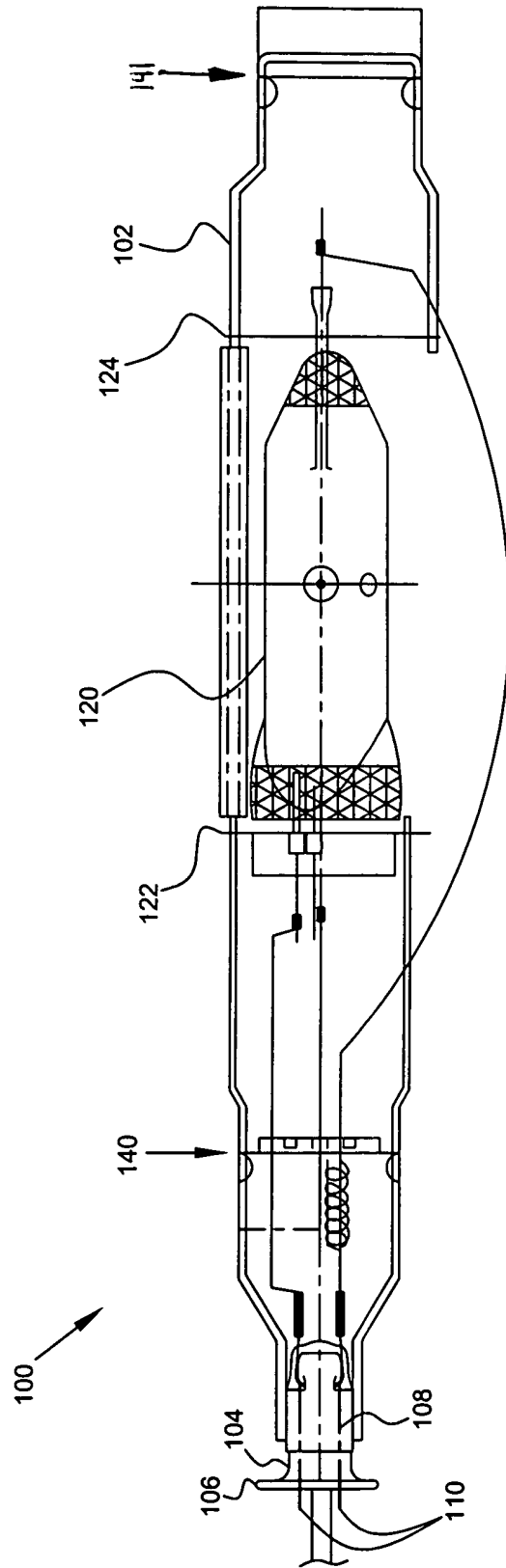


Fig. 1